

Date: October 11, 2001 Label No. EL795622418US

I hereby certify that, on the date indicated above, I deposited this paper with identified attachments and/or fee with the U.S. Postal Service and that it was addressed for delivery to the Assistant Commissioner for Patents, Washington, DC 20231 by "Express Mail Post Office to Addressee" service.

Sandra Stocklinski
Name (Print)

Sandra Stocklinski
Signature

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)

MAHMUD et al.)

Application No.: New Continuation Application)
Of U.S. Application No. 09/453,419)

Parent Group Art Unit.: 1714

Filed: October 11, 2001)

Parent Examiner: P. SZEKELY

For: A METHOD OF MAKING A MULTI-PHASE AGGREGATE
USING MULTI-STAGE PROCESS

INFORMATION DISCLOSURE STATEMENT
PURSUANT TO 37 C.F.R. 1.97(b)

Assistant Commissioner for Patents
Washington, D.C. 20231

October 11, 2001

Sir:

Pursuant to 37 C.F.R. §§ 1.56 and 1.97(b), applicants bring to the attention of the Examiner the documents listed on the attached Form PTO-1449. Copies of these are of record in parent U.S. Patent Application No. 09/453,419 filed December 2, 1999, or U.S. Patent Application No. 09/375,044 filed August 16, 1999, or U.S. Patent Application No. 09/061,871 filed April 17, 1998 and have not been included here since, in accordance with M.P.E.P. § 609, it is not necessary to provide copies of those documents with this filing. Copies of documents not found in the above-identified applications are enclosed.

This Information Disclosure Statement is being filed on or before the three month period following filing of the above-captioned application and before the mailing date of a first Office Action on the merits for the above-referenced present application.

This submission does not represent that a search has been made or that no better art exists and does not constitute an admission that each or all of the listed documents are material or

Information Disclosure Statement

constitute "prior art". If the Examiner applies any of the documents as prior art against any claim in the present application and applicants determine that the cited documents do not constitute "prior art" under United States law, applicants reserve the right to present to the office the relevant facts and law regarding the appropriate status of such documents.

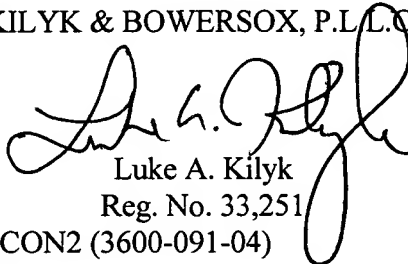
Applicants further reserve the right to take appropriate action to establish the patentability of the disclosed invention over the listed documents, should one or more of the documents be applied against the claims of the present application.

The above information is presented so that the Patent and Trademark Office can, in the first instance, determine any materiality thereof to the claimed invention. See 37 CFR 1.104(a) and 1.106(b) concerning the PTO duty to consider and use any such information. It is respectfully requested that the information be expressly considered during the prosecution of the present application, and that the documents cited in the attached Form PTO-1449 be made of record therein and appear on the first page of any patent to issue therefrom.

If there is any fee due in connection with the filing of this Statement, please charge the fee to our Deposit Account No. 03-0060.

Respectfully submitted,

KILYK & BOWERSOX, P.L.L.C.



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Enclosure: PTO Form 1449 and 8 Documents